IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

TUESDAY, THE 16TH OCTOBER 2007 / 24TH ASWINA 1929

WP(C).No. 20924 of 2007(N)

PETITIONER:

JAYASHREE, D/O BABU, AGED 32,
KORIKKAR, MAGINAMANE, P.O.UPPALA,
VIA)UPPALA, KASARAGOD DISTRICT.

BY ADV. SRI.T.SETHUMADHAVAN
SRI.PUSHPARAJAN KODOTH
SRI.K.JAYESH MOHANKUMAR

RESPONDENTS:
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1. THE MIYAPADAVU SERVICE CO-OPERATIVE
BANK LTD., NO.C 38,REPRESENTED BY ITS SECRETARY,
P.O. MIYAPADAVU, VIA. MANJESHWAR,
KASARAGOD DISTRICT.

2. THE PRESIDENT, THE MIYAPADAVU SERVICE
CO-OPERATIVE BANK LTD., NO.C-38,
P.O.MIYAPADAVU,(VIA) MANJESHWAR,
KASARAGOD DIDSTRICT.

3. RESHMI, W/O PRAVEEN KUMAR PAI,
BODDANGODI HOUSE, MIYAPADAVU P.O.,
VIA)MANJESHWAR, KASARAGOD DISTRICT.

4. THE JOINT REGISTRAR OF CO-OPERATIVE
SOCIETIES(G), KASARAGOD.

R3 BY ADV. SRI.P.NARAYANAN
R1 & R2 BY ADV. SRI.M.SASINDRAN
R4 BY GOVT. PLEADER SRI. P.K. RAVIKRISHNAN.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 16/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC. 20924/2007.

APPENDIX

PETITIONER'S EXTS:

EXT. P1 : TRUE COPYOF THE COMMUNICATION DATED 30.6.2007 ISSUED BY THE 1ST RRESPONDENT TO THE PETITIONER.

EXT. P2 : TRUE COPY OF THE COMPLAINT FILED BY THE KRISHNA NAVADA TO THE FOURTH RESPONDENT DATED 2.7.2007.

EXT. P3 : TRUE COPY OF THE RECEIPT NO.3176 ISSUED BY THE 4TH RESPONDENT DATED 5.7.2007.

K.M.JOSEPH, J.

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WP.(C) No. 20924 of 2007

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Dated this the 16th day of October, 2007

JUDGMENT

Case of the petitioner in brief is as follows:

Petitioner applied for the post of Attender pursuant to the invitation of application by the first respondent Bank. She has made certain allegations in regard to the conduct of the test. Ext.P2 is a petition filed by a relative of the petitioner before the Joint Registrar. Petitioner seeks a direction to dispose of Ext.P2 and seeks a declaration that the bank has no quorum for conducting the interview on 7.7.2007. He also seeks a direction to the second respondent not to participate in the interview to be held on 7.7.2007.

2. Heard counsel for the respondents also.

3. As regards the prayer in regard to the interview to be held on 7.7.2007, since the date mentioned is already over, such a prayer need not be considered. The further prayer is to dispose of Ext.P2. Ext.P2 is not a petition filed by the petitioner. Mandamus cannot be issued without a demand unless there exists circumstances, which constitute

exception to the general rule. No such exception is made out. Accordingly I do not find any reason to grant the writ of mandamus prayed for in the absence of a demand by the petitioner. It is also submitted by the learned counsel for the first respondent that pursuant to Ext.P2 the Joint Registrar has stayed the proceedings.

In such circumstances, this writ petition is closed without prejudice to the right of the petitioner to move the appropriate authority.

(K.M. JOSEPH, JUDGE)

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